

religion, they are breaking the law. This is a **crime** as well as a breach of your religious freedom, and should be reported to the Police.

Can my family stop me from going to a certain religion?

No one has the right to stop any one else from exercising their freedom under the law, not even parents or other relatives.

Are there any particular places in Vanuatu where I must follow the majority religion?

No. Any person is free to worship in any religion, anywhere in Vanuatu.

What can I do if my Constitutional rights and freedoms are not respected or are broken?

You can apply to the Supreme Court to enforce your rights under the Constitution.

The Court can order the breach of your rights to stop, and for compensation to be paid where it considers it is appropriate.

See a lawyer or, if you can't afford one, the Public Solicitor's Office or the USP Community Legal Centre can help you.

For more information contact:

The Public Solicitor's Office

PO Box 794

Port Vila

Phone: 23450

Fax: 23451

USP Community Legal Centre

USP Emalus Campus

PMB 9072

Port Vila

Phone: 27026

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The information contained in this brochure is only intended as a guide to the law and is not a substitute for obtaining legal advice. If you have any further questions we strongly suggest you seek legal advice.

Note: This information applies to people who live in, or are affected by, the law as it applies in Vanuatu.

The information in this brochure is current as at 30 June 2006.

University of the South Pacific Community Legal Centre
PMB 9072 Port Vila VANUATU Ph: 27026 Fax: 25543
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UNIVERSITY OF THE
SOUTH PACIFIC

FREEDOM OF RELIGION & WORSHIP



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What is Freedom of Religion?

Freedom of religion is the right to follow any religion or to join any religious group you choose.

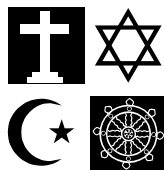
It is also called the **freedom of conscience and worship**, and means you can make up your own mind about what religion you want to be a part of, and how you wish to practice that religion.

No one can force you to follow their religion or discriminate against your rights and freedoms because of what you believe.

What kinds of religion can I practice?

“Religion” means **all kinds of religion**.

You are free to practice Christianity, Islam, Buddhism, Hinduism, Baha’i, customary beliefs or **any other religion** you like, as long as practising your religion does not interfere with the laws of Vanuatu or the fundamental rights of others.



You can choose to follow any particular branch of a religion, and the place you want to attend. You are also free to have no religion at all.

Where does freedom of religion come from?

The right to freedom of religion, conscience and worship is given by the **Constitution** of Vanuatu.

What is the Constitution?

The Constitution is the highest law of Vanuatu. This means that all other laws, whether customary laws or laws made by Parliament, must comply with the Constitution.

How does the Constitution guarantee freedom of religion?

The Constitution guarantees the rights and freedoms of individuals in Vanuatu. This means that any laws or actions by people that interfere with those rights and freedoms are illegal.

The Constitution protects freedom of religion in 2 ways:

Firstly, one of the fundamental rights listed in Article 5(1)(f) of the Constitution is the “freedom of conscience and worship”.

Secondly, Article 5 (1) of the Constitution also says that all Vanuatu citizens are entitled to all of the fundamental rights and freedoms without discrimination on grounds including **religious or traditional beliefs**.

This means that, no matter what your religion, no one can deny you any of the other fundamental rights and freedoms listed in the Constitution, such as the right to:

- life;
- liberty;
- freedom of movement;
- freedom of assembly and association; and
- protection of the law,

because of the religion you follow.

Does a Custom Chief have the power to restrict or do away with your religious beliefs?

No. A custom chief from any community in Vanuatu has no power to stop you from exercising your religious freedom. The Constitution applies to all political and traditional leaders. All powers of custom chiefs are subject to the Constitution, which means that where a custom power or practice goes against what the Constitution says, that custom practice is illegal and must stop.

Majority and minority religious groups: Can a person join any of them?

Everyone is free to join any religious group, whether the religion is widely practiced in the community or not.

All groups, even minorities, are protected by the Constitution. Everyone has a duty under the law to respect the rights and freedoms of other, including those who are part of a minority group.

Can Bishops, Priests or Custom Chiefs use ordinary people to assault the members of a particular religion?

Religious and traditional leaders have no right to order anyone to assault or brutalise members of a religion.

If anyone assaults or orders someone to assault you to stop you from practising your

